IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4344 OF 2005

Pandurang Bali Kadam. ... Applicant.
Versus.
The State of Maharashtra. ... Respondent.

Shri Ujwal R.Agandsurve for the Applicant.

Shri K.V.Saste, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 14th July, 2005.

P.C.:

1. Offence alleged against the Applicant is under section 302 of the Indian Penal Code. The allegation against the Applicant is of murder of a minor boy Sankalp. The said victim is the son of a close relative of the wife of the Applicant.

2. I have heard the learned Counsel appearing for the parties and also perused the statements of witnesses. One of the statements is by the daughter-in-law of the Applicant. She has seen the Applicant running away out of the room in which the deceased was found lying injured. She has stated that blood stained knife was lying on the bed near the victim and intestine has come out of the wound on the abdomen of the boy. According to her version the victim told her that the Applicant has stabbed him by a knife. There are statements of atleast three Doctors who are attached to the hospital

in which the victim was taken for treatment. All of them have stated that the victim told them that the Applicant has stabbed him by knife in the abdomen. There is enough material on record to show complicity of the Applicant in the offence of very brutal nature wherein allegation is regarding the murder of a small child.

3. No case is made out for grant of bail. Application is rejected.

Judge.